

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER 37 CFR 52, 53, and/or 85

In re Application of: MacDonald

Attention: Mail Stop Missing Parts

Serial No.: 10/687,269

Date: January 18, 2005

Filed: October 16, 2003

Attorney Docket No.: KCX-841 (19233)

Confirmation No.: 9988

Group Art Unit: 1772

Title: ODOR CONTROLLING ARTICLE INCLUDING  
A VISUAL INDICATING DEVICE FOR  
MONITORING ODOR ABSORPTION

Our Customer ID: 22827

Our Account No.: 04-1403

Commissioner for Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- ☒ Rule 53 signed Declaration enclosed.  
☐ This is a Rule 47 filing per attached Petition.  
☐ Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.  
☐ Specification originally filed in non-English language; hence verified translation attached of:  
☐ Abstract ☐ \_\_\_ pages of Specification (only spec. & claims) ☐ Drawing Figs.  
☐ \_\_\_ sheet(s) of formal drawings enclosed: size: ☐ A4 ☐ 14" ☐ 8½ by 11  
☐ Attached is an assignment to \_\_\_\_\_.  
☐ Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s).  
\_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_, respectively.  
Certified copy (copies) ☐ attached; ☐ already filed on \_\_\_\_\_ in U.S. Application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ "Small Entity" status under Rule 27 claimed. ☐ Attached: \_\_\_ Verified Statement(s) establishing "small entity."  
☒ Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.  
☒ Attached: Letter and Return Receipt Postcard

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED  
PER MPEP § 506 AND § 607**

If not earlier paid, add Basic Filing Fee .....	\$ 0.00
Total Effective Claims ___ - 20 = ___ x \$50.00 =	\$ 0.00
Independent Claims ___ - 3 = ___ x \$200.00 =	\$ 0.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$360.00	\$ 0.00
Filing Fee	\$ 0.00

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of N/A,  
petition is hereby made for an extension to cover the date this response is filed for which the  
requisite fee is enclosed (1 month \$120; 2 months \$450; 3 months \$1,020; 4 months \$1,590,  
5 months \$2,160)

\$ 0.00

If this is the first time either signed Declaration filed or filing fee paid, add Surcharge (\$130)

\$ 0.00

Subtotal

\$ 0.00

If "small entity" status box above is X'd, enter half (1/2) of subtotal & subtract

\$ 0.00

Total

\$ 0.00

If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00)

\$ 0.00

If "assignment" box is X'd, add recording fee (\$40.00).

\$ 0.00

If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h).

\$ 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

Post Office Box 1449

By: Jason W. Johnston Reg. No. 45,675 Date: January 24, 2005

Greenville, SC 29602

Customer ID No.: 22827

Telephone: 864-271-1592 / Facsimile: 864-233-7342

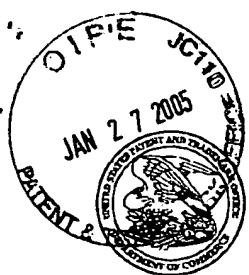
Signature: 

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Mail Stop Missing Parts, Post Office Box 1450, Alexandria, VA 22313-1450, on January 24, 2005.

Lynn Watkins

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

1FW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/687,269	10/16/2003	John Gavin MacDonald	KCX-841 (19233)

CONFIRMATION NO. 9988

22827  
 DORITY & MANNING, P.A.  
 POST OFFICE BOX 1449  
 GREENVILLE, SC 29602-1449

## FORMALITIES LETTER



\*OC000000014450858\*

Date Mailed: 11/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**  
**ATTORNEY DOCKET NO.: KCX-841 (19233)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	Examiner: Unknown
MacDonald, et al.	)	
	)	Art Unit: 1772
Serial No.: 10/687,269	)	
	)	Deposit Acct. No.: 04-1403
Filed: October 16, 2003	)	
	)	Customer No.: 22827
Title: Odor Controlling Article Including	)	
A Visual Indicating Device For	)	Confirm. No.: 9988
Monitoring Odor Absorption	)	

Mail Stop Missing Parts  
Commissioner for Patents  
Alexandria, VA 22313-1450

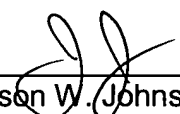
**RESPONSE TO NOTICE OF MISSING PARTS**

The Notice to File Missing Parts dated November 24, 2004, states that the declaration was not signed. However, Applicants note that the signed declaration was properly submitted on February 24, 2004. In this regard, enclosed herewith is a copy of the executed declaration for the above-referenced application.

Please charge any fees required by this Response to Deposit Account No. 04-1403.

Respectfully submitted,

DORITY & MANNING, P.A.

  
\_\_\_\_\_  
Jason W. Johnston  
Registration No. 45,675

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Date: 1/24/05